

Date Received:

Town Clerk:



NOTICE OF DECISION

Number: 11-02

Date of Application: January 3, 2011

Subject of Appeal: The application of Jean Hebert and Wayne Monteverde for a Special Permit from Section 1.33 of the Ashburnham Zoning Bylaws to have an automotive repair shop as a business and all other necessary zoning relief on the property located at 13 Cote Avenue, Map 17, and Parcel 24 in the R-A District.

Date of Hearing: February 16, 2011; cont. March 16, 2011; cont. March 30, 2011 and deliberation was on April 13, 2011

Finding: Section 1.34 also applies

Vote of Board: Unanimous by the Board that section 1.34 of the Ashburnham Zoning Bylaws applies

Date of Decision: April 13, 2011

Decision: Special Permit Denied

Basis for Decision: Denied the Special Permit from section 1.33 of the Ashburnham Zoning Bylaws because the proposed use would be a detriment to the neighborhood and from section 1.34 of the Ashburnham Zoning Bylaws the property was changed from a business to a residence therefore no land shall be permitted to revert to a non-conforming use.

Board Members Present: David Perry, Chair
Joseph Daigle, Clerk
Rich Archer
Mark Carlisle

Not Present: Terry Girouard and Cheryl Anderson

Vote of Board: Unanimous to deny Special Permit

Notice: Any decision of the Board of Appeals may be appealed to the Superior Court of Worcester County within 20 days by the Applicant, Town Boards or Officers, or any person aggrieved by the decision. Appeal may also be made in Fitchburg District Court.

After the 20 days appeal period, if no appeals have been filed with the Town Clerk, this decision must be recorded with the Registry of Deeds.